

UTILITIES DIVISION[199]

Adopted and Filed

Pursuant to Iowa Code section 17A.4 and chapter 476, the Utilities Board (Board) gives notice that on May 12, 2009, the Board issued an order in Docket No. RMU-08-6, In re: Amendments to Clarify the Status of Regulated, Deregulated, and Unregulated Telecommunications Services [199 IAC 22], “Order Adopting Amendments.” The order adopted amendments which were published under Notice of Intended Action in IAB Vol. XXXI, No. 11 (11/19/2008), p. 1300, as **ARC 7365B**, with revisions explained in the “Order Adopting Amendments.”

The amendments revise the Board’s rules at 199 IAC 22 to clarify the status of regulated, deregulated, and unregulated telecommunications services. The amendments also clarify and update several rules at 199 IAC 22 to reflect existing Board policies. The order adopting amendments contains a more thorough discussion of the amendments. The order is available on the Board’s Web site at www.state.ia.us/iub.

Changes to the noticed amendments were based on comments received from telecommunications service providers and the Board’s further consideration of the proposed amendments. The changes made to the noticed amendments are explained in detail in the Board’s “Order Adopting Amendments.”

Written comments were received from the Iowa Telecommunications Association (ITA); Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom); Qwest Corporation (Qwest); and MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services, MCI Communications Services, Inc., d/b/a Verizon Business Services, Verizon Long Distance LLC, and Verizon Enterprise Solutions LLC (collectively, Verizon).

Qwest and Iowa Telecom objected to the proposal to include a list of deregulatory actions and orders in the Board’s administrative rules. The Board decided that including the list in the rules clarified the status of telecommunications service in Iowa and adopted the list as proposed, with one revision proposed by Iowa Telecom.

Qwest proposed extensive revisions which would have revised the Board’s proposed definition of the term “tariff,” defined the term “catalog,” and made the two terms interchangeable. The Board declined to make the revisions proposed by Qwest regarding the use of catalogs rather than tariffs. The Board also decided not to adopt proposed paragraph 22.1(6)“c,” which, as proposed, would have explained how deregulation has affected tariffing requirements. The Board will investigate issues relating to the use of catalogs rather than tariffs in a subsequent rule-making proceeding.

Extensive written comment was received relating to the Board’s request for comment on reserve power requirements. The Board decided not to adopt any changes to its current reserve power requirements.

These amendments will become effective on July 8, 2009.

These amendments are intended to implement Iowa Code section 17A.4 and chapter 476.

The following amendments are adopted.

ITEM 1. Amend paragraph **22.1(1)“c”** as follows:

c. To ensure that the regulated rates provision of service of local exchange utilities and the charges of alternative operator services companies for communications service, and regulated services rendered in connection therewith, will be reasonable and just.

ITEM 2. Amend subrule **22.1(3)**, definitions of “Customer provision” and “Tariff,” as follows:

“*Customer provision*” means customer purchase or lease of terminal equipment or ~~new~~ inside station wiring from the telephone company or from any other supplier.

“*Tariff*” means the entire body of regulated rates, alternative operator services rates, classifications, rules, procedures, policies, etc., adopted and filed with the board by a telephone utility, including an alternative operator services company, in fulfilling its role of furnishing communications services.

ITEM 3. Adopt the following new definitions in subrule **22.1(3)**:

“*Competitive Local Exchange Carrier*” or “*CLEC*” means a utility, other than an incumbent local exchange carrier, that provides local exchange service pursuant to an authorized certificate of public convenience and necessity.

“*Incumbent Local Exchange Carrier*” or “*ILEC*” means a utility, or successor to such utility, that was the historical provider of local exchange service pursuant to an authorized certificate of public convenience and necessity within a specific geographic area described in maps approved by the board as of September 30, 1992.

ITEM 4. Rescind the definitions of “Fully allocated cost study,” “Fully distributed cost study,” “Regulated rates” and “Wide area service” in subrule **22.1(3)**.

ITEM 5. Amend subrule 22.1(4) as follows:

22.1(4) Abbreviations.

AOS—Alternative Operator Services

EAS—Extended Area Service

ESS—~~Electronic Switching System~~

FAC—~~Fully Allocated Cost~~

FDC—~~Fully Distributed Cost~~

PBX—Private Branch Exchange

ITEM 6. Amend subrule 22.1(6) as follows:

22.1(6) ~~Interutility services~~ Deregulation actions. Rescinded IAB 12/21/05, effective 1/25/06.

a. The board, in the dockets shown in subparagraphs (1) to (14), deregulated the following services. Persons interested in determining the precise extent of deregulation in each docket should refer to the board dockets identified in this list. This list is provided for information only. Subsequent orders in these or other dockets may have modified the scope and manner of deregulation. Exclusion of an order or a statutory provision from this list in no way alters the effectiveness of such order or statutory provision.

(1) Inside station wiring including provisioning, repair, and maintenance. This included a revised definition of “demarcation point” in subrule 22.1(3). Docket No. RMU-81-19. Effective October 8, 1982.

(2) Terminal equipment including provision, installation, repair, and maintenance of all customer premises equipment. Docket No. RMU-82-1. Effective May 11, 1983.

(3) Centrex, Hi-Lo Capacity Intraexchange, and Hi Capacity Interexchange and Private Line. Docket No. RPU-84-8. Effective July 1, 1984.

(4) Coin-operated telephones. Pay telephones were determined to be a subset of deregulated terminal equipment. Docket Nos. RMU-85-6 and INU-84-6. Effective September 18, 1985.

(5) Riser cable (or cable for PBXs on the same premises) was found to be an extension of inside wiring. Ownership was transferred from the telephone utility to the premises owner. The telephone utility was compensated for the cable. Docket No. RMU-85-23. Effective April 30, 1986.

(6) Versanet Alarm Services Equipment. The remote module connecting an alarm panel to the local loop was determined to be deregulated terminal equipment. The Versanet equipment monitoring the signal was found to be competitive and deregulated. Docket No. INU-85-5. Effective May 16, 1986.

(7) Mobile telephone and paging services. Docket No. INU-86-2. Effective August 7, 1986.

(8) Billing and collection services (but not the recording function). Docket Nos. RMU-86-16 and INU-86-10. Effective October 15, 1986.

(9) InterLATA Interexchange Message Telecommunications Service (MTS), Wide Area Telecommunications Service (WATS), Channel Service (Private Line), and Custom Network Service (Software Defined Network Service, Megacom Services, Megacom 800 Service, and AT&T Readyline Service). Docket No. INU-88-2. Effective April 5, 1989, and July 19, 1990.

(10) Speed calling. Docket No. INU-88-8. Effective December 22, 1989.

(11) The recording function of billing and collection services. Docket No. INU-88-9. Effective January 9, 1990.

(12) Competitive IntraLATA Interexchange Services, InterLATA and IntraLATA ISDN, Operator Services, Directory Services, and Voice Messaging Service. Docket No. INU-95-3. Effective June 24, 1996.

(13) Local directory assistance. Docket No. INU-00-3. Effective February 23, 2001.

(14) Local exchange services found to be competitive and deregulated in the following exchanges: Armstrong, Coon Rapids, Council Bluffs, Delmar, Forest City, Harlan, Laurens, Lowden, Mapleton, Oxford, Oxford Junction, Primghar, Saint Ansgar, Solon, Spencer, Stacyville, Stanwood, Storm Lake, Tiffin, and Whiting. Docket No. INU-04-1. Effective December 23, 2004.

b. Deregulation resulting from 2005 Iowa Acts, chapter 9, section 1. Effective July 1, 2005, Iowa Code section 476.1D(1) was amended to deregulate the retail rates for most business and residential local exchange services with the exception of single line flat-rated residential and business service rates, at the election of each telephone utility. The affected utilities opted for deregulation as follows:

(1) Approval of Qwest Corporation's replacement tariff. Qwest's replacement tariff removed the rates for most local exchange services from the tariff, with the exception of single line flat-rated residential and business service rates. Docket No. TF-05-167. Effective September 6, 2005.

(2) Approval of Frontier Communications of Iowa, Inc.'s replacement tariff. This replacement tariff removed the rates for most local exchange services from the tariff, with the exception of single line flat-rated residential and business service rates. Docket No. TF-05-181. Effective September 20, 2005.

(3) Approval of Iowa Telecommunications Services, Inc.'s, d/b/a Iowa Telecom, replacement tariff. This replacement tariff removed the rates for most local exchange services, with the exception of single line flat-rated residential and business service rates. Docket No. TF-05-182. Effective November 5, 2005.

(4) Single line flat-rated residential and business service rates were found to be competitive and deregulated in the following exchanges: Alta, Belle Plaine, Bennett, Cambridge, Carter Lake, Greene, Grundy Center, Guthrie Center, Hartley, Manning, Marble Rock, Marengo, Onawa, Orange City, Osage, Oyens, Paullina, Reinbeck, Slater, and Wapello. Docket No. INU-05-2. Effective December 5, 2005.

(5) Single line flat-rated residential and business service rates were deregulated pursuant to Iowa Code section 476.1D(1). Docket No. INU-08-1. Effective July 1, 2008.

ITEM 7. Amend subrule 22.2(3) as follows:

22.2(3) Tariffs to be filed with the board. The utility, including an alternative operator services company, shall file its tariff with the board, and shall maintain such tariff filing in a current status. A copy of the same tariff shall also be on file in all business offices of the telephone utility and shall be available for inspection by the public.

~~The schedules of regulated rates and alternative operator services rates shall be filed with the board and tariff shall be classified, designated, arranged, and submitted so as to conform to the requirements of current tariff or rate schedule circulars and special instructions which have been or may from time to time be issued by the board.~~ this chapter or board order. Provisions of the schedules shall be definite and so stated as to minimize ambiguity or the possibility of misinterpretation. The form, identification, and content of tariffs shall be in accordance with these rules unless otherwise provided ~~in rule 22.14(476).~~

Utilities which are not subject to the rate regulation provided for by Iowa Code chapter 476 shall not file schedules of rates unless required by another rule or by board order. Nothing contained in these rules shall be deemed to relieve any utility of the requirement of furnishing any of these same schedules or contracts which are needed by the board in the performance of the board's duties upon request to do so by the board. Every telephone utility shall make the schedule of its rates readily available to customers on the utility's Web site, if the utility has one, or by mail, upon request.

ITEM 8. Amend paragraphs **22.2(5)"a"** and **"b"** as follows:

a. A table of contents ~~containing a list of regulated rates or alternative operator services rates and other listing tariff sections~~ in the order in which they appear showing the sheet number of the first page of each rate schedule or other section. In the event the utility filing the tariff elects to segregate a section such as general rules from ~~the section containing regulated rates, alternative operator services rates, or~~

other sections, it may at its option prepare a separate table of contents or index for each such segregated section.

~~b. All regulated rates and alternative operator services rates shall be included in tariffs.~~ Local exchange utilities shall file a map which shall clearly define the base rate boundary and any rural or special zones that are set forth in the tariff. The boundary line location on such maps shall be delineated from fixed reference points.

ITEM 9. Amend paragraph **22.3(1)“d”** as follows:

d. The directory shall contain such instructions concerning placing local and long distance calls, calls to repair and information services, and location of telephone company business offices as may be appropriate to the area served by the directory. A statement shall be included that the company will verify the condition of a line if requested by a customer and whether any charge will apply. ~~Rates for basic transmission service for residential and business customers available from the utility shall also be included.~~ The directory must indicate how to order 900 and 976 blocking and indicate that the first block is without charge. The directory shall contain descriptions of all current N11 services.

ITEM 10. Amend subrule 22.3(12) as follows:

22.3(12) Ordering and transferring of service. ~~Telephone utilities shall permit the~~ The terms and conditions for ordering and transferring of transmission local exchange service to be accomplished by telephone. ~~A utility shall not volunteer prices or otherwise attempt to promote terminal equipment which is offered by an affiliated company when transmission service is ordered. A utility may not require customers to order transmission service through a company affiliated with that utility shall be contained in the telephone utility's tariff.~~

ITEM 11. Amend subparagraph **22.4(1)“a”(3)** as follows:

(3) Notify customers affected by a change in ~~regulated~~ rates or schedule classification.

ITEM 12. Amend paragraph **22.4(1)“b”** as follows:

b. Inquiries for information or complaints to a utility shall be resolved promptly and courteously. Employees who receive customer telephone calls and office visits shall be qualified and trained in screening and resolving complaints, to avoid a preliminary recitation of the entire complaint to employees without ability and authority to act. The employee shall provide identification to the customer ~~which will enable the customer to reach that employee again if needed.~~

~~All~~ Unless a customer agrees to an alternative form of notice, local exchange utilities shall notify their customers, by bill insert or notice on the bill form, of the address and telephone number where a utility representative qualified to assist in resolving the complaint can be reached. The bill insert or notice shall also include the following statement: “If (utility name) does not resolve your complaint, the service may be subject to state regulation. You may request assistance from the Iowa Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069, (515)281-3839 or toll-free ~~(877)~~ 1-877-565-4450 or E-mail iubcustomer@iub.state.ia.us.”

The bill insert or notice on the bill will be provided no less than annually. ~~Any utility which does not use the standard form contained herein shall file its proposed form in its tariff for approval.~~ A telephone utility which provides local exchange service and issues an annual directory shall publish the information set forth above in its directory in addition to a mailing.

ITEM 13. Amend subrule 22.4(2), introductory paragraph, as follows:

22.4(2) Customer deposits. Each utility may require from any customer or prospective customer a deposit intended to guarantee payment of bills for service based on the customer's credit history. ~~The deposit required shall be confirmed in writing to the customer not later than the time of the next billing. The confirmation shall, in separate columns, itemize deposits for local exchange service and unregulated services. The confirmation shall state that no~~ No deposit other than for local exchange service is required to obtain local exchange service. The confirmation deposit must also reflect the limits as to low-income customers in 199—subparagraph 39.3(2)“b”(4).

ITEM 14. Amend paragraph **22.4(2)“b”** as follows:

b. Interest on customer deposits. Interest shall be paid on deposits associated with regulated rates. Interest on such deposits shall be computed at ~~7.5~~ 4.0 percent per annum, compounded annually. Interest shall be paid for the period beginning with the date of deposit to the date of refund or to the date that the deposit is applied to the customer's account, or to the date the customer's bill becomes permanently delinquent. The date of refund is that date on which the refund or the notice of deposit refund is forwarded to the customer's last-known address. The date a customer's bill becomes permanently delinquent, relative to an account treated as an uncollectible account, is the most recent date the account became delinquent.

ITEM 15. Amend paragraph **22.4(2)“d”** as follows:

d. Each utility shall issue a receipt of deposit to each customer from whom a deposit is received; ~~and. An itemized statement on the customer's bill may be considered an appropriate receipt.~~ Each utility shall also provide means whereby a depositor may establish claim if the receipt is lost.

ITEM 16. Amend paragraph **22.4(2)“h”** as follows:

h. A new or additional deposit for local exchange service may be required to cover the amount provided in “a” above when a deposit has been refunded or the customer's payment history demonstrates a deposit is or continues to be appropriate. Written or verbal notice shall be ~~mailed~~ provided advising the customer of any new or additional deposit requirement. The customer shall have no less than 12 days from the date of ~~mailing~~ written or verbal notice to comply. The new or additional deposit ~~shall~~ may be payable electronically or by cash or check at any of the utility's business offices or local authorized agents. An appropriate receipt shall be provided. No written notice is required to be given of a deposit required as a prerequisite for commencing initial service.

ITEM 17. Amend subrule 22.4(3) as follows:

22.4(3) *Customer billing, timely payment, late payment charges, payment and collection efforts.* Each utility's tariff rules shall comply with these minimum standards.

a. Billing to customers shall be scheduled monthly except upon mutual agreement of the customer and utility. A utility with unusual circumstances may obtain authority from the board for billing at other than monthly intervals.

b. Rescinded IAB 2/6/91, effective 3/13/91.

c. Paper bills shall be issued and delivered via U.S. mail unless the customer agrees to electronic or other billing pursuant to terms specified by tariff or customer agreement. Except as otherwise noted, the requirements of this subrule apply to both paper and electronic bills. The bill form or a bill insert shall provide the following information:

(1) ~~The dates at the beginning and end of the billing period~~ bill date and the bill due date for transmission services, local exchange services, service charges, and other telecommunications services and equipment.

(2) The last date for timely payment shall be clearly shown and shall be not less than 20 days after the bill is rendered. ~~The~~ For a paper bill, the bill shall be considered rendered to the customer when deposited in the U.S. mail with postage prepaid. For an electronic bill, the bill shall be considered rendered to the customer on the date of transmission to the last-known E-mail address or as otherwise defined in an agreement between the customer and utility. If the delivery of a paper bill is by other than U.S. mail, the bill shall be considered rendered when delivered to the last-known address of the party responsible for payment. If a bill cannot be transmitted electronically, the utility shall issue a paper bill. The utility may charge an appropriate amount for the distribution of a paper bill so long as the same amount is discounted should the customer choose electronic billing. When a customer changes from paper billing to electronic billing, the utility shall be allowed one complete billing cycle to make adjustments for electronic billing credits.

(3) ~~The amount of the net charge, stated by category, for local transmission service, ancillary services and equipment, toll service, information service, sales tax and excise tax, and of any late payment charge together with the gross amount of the bill, with separate entries for total amounts current or in arrears. The utility shall comply with reasonable requests for bill detail. Bills to customers~~

shall be rendered regularly and shall contain a clear listing of all charges. A written, itemized listing of the services to which the customer subscribes and the monthly rates for those services shall be provided as part of the initial bill or when service is ordered and subsequently upon reasonable request of the customer.

(4) to (6) No change.

~~d. Late payment charges for services associated with regulated rates. Where net and gross amounts are billed to customers, the difference between net and gross is a late payment charge and is valid only when it is part of a delinquent bill payment. A late payment charge shall not exceed 1.5 percent per month of the past due amount. No collection fee may be levied in addition to this late payment charge. This does not prohibit cost justified charges for disconnection and reconnection of service.~~

~~e. If Unless the terms of a multistate customer contract state otherwise, when the customer makes a partial payment in a timely manner, and does not designate the service or product for which payment is made, the payment shall first be applied to the undisputed balance for basic local exchange service, with the remainder applied on a pro-rata basis to regulated utility services. If an amount remains, it may then be applied to deregulated and nonregulated other services. The late payment charge provision should be applied to only the outstanding balance for utility services, except interstate toll and related taxes.~~

~~f. and g. No change.~~

~~h. Maximum payment required for initial network access installation and activation of local exchange service shall comply with the total derived in accord with these rules and specified in the filed tariff.~~

~~(1) An applicant for network access local exchange service, who under the tariff credit rules is required to make a deposit to guarantee payment of bills, may be required to pay the service charges and deposit prior to access obtaining service. An applicant not required to make a deposit shall not be billed a service charge earlier than the first regular monthly bill.~~

~~(2) No change.~~

~~i. to k. No change.~~

~~l. Overcharges. The time period for which the utility is required to refund or credit the customer's bill shall not exceed five years unless otherwise ordered by the board. Refunds of \$25 or more shall be in the form of checks to current customers. Checks are to be issued to former customers where the refund exceeds \$10. Refunds to current customers of less than \$25 may be in the form of a bill credit. Refunds to current customers may be in the form of bill credits, unless the refund exceeds \$50 and the customer requests a refund in the same manner by which the bill was originally paid. Refunds to former customers may be made in the same manner by which the bill was originally paid. Refunds for local exchange service may not be applied to unpaid amounts for unregulated services.~~

ITEM 18. Amend paragraph 22.4(4)"a" as follows:

a. Complaints concerning the charges, practices, facilities, or service of the utility shall be investigated promptly and thoroughly. The utility shall keep a record of such complaint showing the name and address of the complainant, the date and nature of the complaint, its disposition, and all other pertinent facts dealing with the complaint, which will enable the utility to review and analyze its procedure and actions. The records maintained by the utility under this rule shall be available for a period of two years for inspection by the board or its staff upon request.

ITEM 19. Amend subrule 22.4(5) as follows:

22.4(5) Refusal or disconnection of service. Notice of a pending disconnection shall be rendered and ~~transmission~~ local exchange service shall be refused or disconnected as set forth in the tariff. The notice of pending disconnection required by these rules shall be a written notice setting forth the reason for the notice, and the final date by which the account is to be settled or specific action taken.

The notice shall be considered rendered to the customer when deposited in the U.S. mail with postage prepaid. If delivery is by other than U.S. mail, the notice shall be considered rendered when delivered to the last-known address of the person responsible for payment for the service. The final date shall be not less than five days after the notice is rendered.

One written notice, including all reasons for the notice, shall be given where more than one cause exists for refusal or disconnection of service. This notice shall include a toll-free or collect number where a utility representative qualified to provide additional information about the disconnection can be reached. The notice shall also state the final date by which the account is to be settled or other specific action taken. In determining the final date, the days of notice for the causes shall be concurrent.

Service may be refused or disconnected for any of the reasons listed below. Unless otherwise stated, the customer shall be provided notice of the pending disconnection and the rule violation which necessitates disconnection. Furthermore, unless otherwise stated, the customer shall be allowed a reasonable time in which to comply with the rule before service is disconnected. Except as provided in 22.4(5) "a," "b," "c," "d," and "e," no service shall be disconnected on the day preceding or the day on which the utility's local business office or local authorized agent is closed. Service may be refused or disconnected:

a. to h. No change.

ITEM 20. Amend subrule 22.4(7) as follows:

22.4(7) *Insufficient reasons for refusal, suspension, or discontinuance of service.* The following shall not constitute sufficient cause for refusal, suspension, or discontinuance of local exchange service to a present or prospective customer:

a. to f. No change.

~~g. — Use of an auxiliary directory cover.~~

~~h. — Failure to pay for information service not regulated by the board.~~

~~± g. Failure to pay for deregulated services other than local exchange service.~~

ITEM 21. Amend paragraphs **22.5(2)"a"** and **"b"** as follows:

a. Each local exchange utility, ~~interexchange utility,~~ and alternative operator services company shall employ prudent management and engineering practices so that sufficient equipment and adequate personnel are available at all times, including average busy-hour of the busy-season.

b. Each local exchange utility, ~~interexchange utility,~~ and alternative operator services company shall conduct traffic studies, employ reasonable procedures for forecasting future service demand, and maintain records necessary to demonstrate to the board that sufficient equipment is in use and that an adequate operating force is provided.

ITEM 22. Rescind and reserve paragraph **22.5(3)"c."**

ITEM 23. Amend subrule 22.5(4) as follows:

22.5(4) *Telecommunication circuits.* ~~All local exchange utilities shall provide full metallic, electronic, or lightwave circuits for telecommunication purposes.~~ All circuits shall be properly constructed and maintained to ensure trouble-free quality service.

ITEM 24. Amend subrule 22.5(5) as follows:

22.5(5) *Interexchange trunks.*

~~a. — When trunk lines or toll circuits for communication are furnished by one or more telephone utilities between exchanges, the circuits connecting such exchanges shall be nongrounded. No customer's instruments other than toll stations shall be regularly connected to those circuits.~~

~~b. Interexchange trunks~~ Trunks for extended area service shall be provided so that at least 98 percent of telephone calls ~~offered to the group~~ will not encounter an all-trunks-busy condition. ~~For toll connecting trunks, this figure shall be at least 98 percent. Unless otherwise authorized by the board, a provider of regulated toll services shall maintain sufficient switching and network channel capacity plus other necessary facilities so that 98 percent of properly dialed toll calls are correctly terminated.~~

~~c. — All interexchange utilities which use both line and trunk side connections for access shall order sufficient quantities of switched access service from the local exchange utility to maintain acceptable blocking probability for each type of access. Normally, the board shall consider a .01 blocking probability to be acceptable.~~

ITEM 25. Rescind and reserve paragraph **22.5(10)“d.”**

ITEM 26. Amend subrule 22.5(14) as follows:

22.5(14) Information service access blocking. Each local exchange utility shall include in its tariff on file with the board a provision giving its subscribers the option of blocking access, ~~where facilities are available,~~ to all 900 and 976 prefix numbers, without charge for the first block.

~~a. — On or before April 1, 1992, each local exchange utility, by form letter and response card, postage prepaid, separate from any other mailing, shall notify all residential customers in exchanges where blocking is available of the availability of the first blocking without charge and that access to 900 and 976 prefix numbers will not be blocked unless the residential customer returns the card or otherwise informs the local exchange utility of the customer’s desire to block.~~

~~b. — Each local exchange utility with exchanges where facilities to provide blocking are unavailable must file a semiannual report to the board, on or before each April 1 and October 1, identifying the exchanges.~~

~~c. — On or before April 1, 1992, each local exchange utility shall notify all residential customers in exchanges where blocking is not available that blocking is not available. Within 30 days after blocking becomes available in an exchange where blocking was not available as of April 1, 1992, the local exchange company will notify the customers of that exchange, pursuant to the provisions of paragraph “a,” that blocking has become available.~~

~~d. — All local exchange utilities must state in their telephone directories which exchanges listed in the directory offer 900 and 976 prefix access service blocking. For those exchanges where blocking is available, the directory must state the method to order access blocking and that the first blocking is without charge.~~

~~e. — At the time of application or within one month of the date service is initiated, local exchange companies must provide or mail the appropriate notice under paragraph “a” or “c” to new residential customers.~~

ITEM 27. Rescind paragraphs **22.6(2)“e”** and **“f.”**

ITEM 28. Amend subrule 22.6(4) as follows:

22.6(4) Repair—missed appointments. When a utility makes an appointment for installation or repair within a given range of time, and misses that appointment by over an hour, the customer will receive one month’s primary local service free of charge. This is applicable to each missed appointment. ~~The expense incurred as a result of a missed appointment in providing free primary local service shall not be included in rates.~~

ITEM 29. Rescind and reserve subrules **22.12(2)** and **22.12(3).**

ITEM 30. Rescind and reserve rule **199—22.13(476).**

ITEM 31. Amend subparagraph **22.14(2)“d”(1)** as follows:

(1) Carrier common line charge. The rate for the intrastate carrier common line charge shall be three cents per access minute or fraction thereof for both originating and terminating segments of the communication, unless a different rate is required by numbered paragraphs “1” and “2.” The carrier common line charge shall be assessed to exchange access made by any interexchange telephone utility, including resale carriers. In lieu of this charge, interconnected private systems shall pay for access as provided in 22.14(1)“b.”

1. ~~Rate regulated Incumbent~~ local exchange utility carrier intrastate access service tariffs shall include the carrier common line charges approved ~~in the rate regulated local exchange utility’s price regulation plan or as otherwise approved by the board.~~

2. A competitive local exchange carrier that concurs with the Iowa Telephone Association (ITA) Access Service Tariff No. 1 and that offers service in exchanges where the incumbent local exchange carrier’s intrastate access rate is lower than the ITA access rate shall deduct the carrier common line charge from its intrastate access service tariff.

ITEM 32. Amend subrule 22.14(4) as follows:

22.14(4) Notice of intrastate access service tariffs.

a. ~~All~~ Each telephone ~~utilities~~ utility that ~~file~~ files new or changed tariffs relating to access charges, access service, or the recording function associated with billing and collection for access services shall give written notice of the new or changed tariffs to the utility's interexchange utility access customers, the board, and the consumer advocate ~~and to all interexchange utilities registered with the board under paragraph "b" of this subrule~~. Notice shall be given on or before the date of filing of the tariff. The notice shall consist of ~~a copy of the tariff transmittal letter, a listing of affected tariff pages, and:~~ the file date, the proposed effective date, a description of the proposed changes, and the tariff section number where the service description is located. If two or more local exchange utilities concur in a single tariff filing, the local exchange utilities may send a joint written notice to the board, consumer advocate, ~~and~~ the interexchange utilities.

~~b. —To receive notice of new or changed access service tariffs, an interexchange utility shall register with the board. An interexchange utility registers by filing a specific written request for registration, stating its name and the address where notice is to be sent.~~

~~c. —Local exchange utilities shall file an affidavit listing all interexchange utilities notified of the proposed filing when the tariff is filed with the board.~~

~~d. b.~~ The board shall not approve any new or changed tariff described in paragraph "a" until after the period for resistance provided in subrule 22.14(5), paragraph "a. "

ITEM 33. Amend subrule 22.15(1) as follows:

22.15(1) Interexchange utility service. An interexchange utility may provide interexchange service by complying with the laws of this state and the rules of this board. Any company or other entity accessing local exchange facilities or services in order to provide interexchange communication services to the public shall be considered to be an interexchange utility and subject to the rules herein, unless otherwise exempted. Such utilities are required to file ~~tariffs~~ a registration form, reports, and other items and are subject to service standards as specified in utilities division rules, ~~chapters 7, 16, and 22,~~ unless otherwise exempted.

ITEM 34. Amend subrule **22.20(3)**, introductory paragraph, as follows:

22.20(3) Map specifications. All ~~utilities~~ ILECs shall have on file with the board maps which identify their exchanges and both internal exchange boundaries where the utility's own exchanges abut and ultimate boundaries where the utility's exchanges abut other utilities. A CLEC shall either file its own exchange boundary map or adopt the exchange boundary map filed by the ILEC serving that exchange.

[Filed 5/12/09, effective 7/8/09]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/3/09.